

## **Assembly Joint Resolution No. 8**

### **RESOLUTION CHAPTER 93**

Assembly Joint Resolution No. 8—Relative to marine pollution.

[Filed with Secretary of State August 22, 2005.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AJR 8, Canciamilla. Marine pollution.

This measure would urge the Congress of the United States to ratify treaty provisions known as Annex VI of MARPOL 73/78, and the United States Environmental Protection Agency to pursue the creation of a North America Sulfur Emission Control Area.

WHEREAS, An international treaty, the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, as amended at London in February 1978, is known as the MARPOL 73/78 Convention (hereafter Marpol 73/78). Annex VI of MARPOL 73/78 (hereafter Annex VI) defines and sets standards for the regulation for the prevention of exhaust emissions from ships; and

WHEREAS, Having been ratified by 15 nations representing over one-half of the world's shipping tonnage, Annex VI went into effect May 19, 2005; and

WHEREAS, Annex VI will acquire the force of law in the United States only after the Senate concurs in the treaty and the United States deposits its instrument of ratification with the International Maritime Organization, a branch of the United Nations; and

WHEREAS, The United States Senate Foreign Relations Committee has delayed for several years the ratification of Annex VI; and

WHEREAS, Included within Annex VI is a provision for signatory states to petition the International Maritime Organization to designate areas within their jurisdiction as a Sulfur Emission Control Area or SECA. Although California and local governments in the state are seeking to reduce exhaust emissions from ships, once an area is designated a SECA by the United States, a specified cap on sulfur levels in marine fuels for sale and combustion can also be stipulated for the SECA. The Baltic and North Seas have been designated as SECAs and consequently all ships operating in those areas must use heavy fuel with no more than 1.5 percent sulfur content. If using marine diesel fuel, the sulfur content must be 0.2 percent or below; and

WHEREAS, The United States Environmental Protection Agency has stated its intent to pursue, in cooperation with Canada and Mexico, a North America SECA and is already in the process of collecting the requisite

data necessary to support a petition to the International Maritime Organization; and

WHEREAS, The California Air Resources Board estimates that sulfur reduction in marine fuels will reduce particulate matter by approximately 20 percent and additionally provide a benefit in mitigation of NO<sub>x</sub>; and

WHEREAS, The reduction of sulfur content in fuel also provides for corresponding reductions in emissions of oxides of sulfur (SO<sub>x</sub>) and diesel particulate matter (PM); and

WHEREAS, Reductions in NO<sub>x</sub>, SO<sub>x</sub>, and diesel PM promote direct and indirect environmental and public health benefits; and

WHEREAS, The creation of a North America Sulfur Emission Control Area will lead to the expanded availability of low sulfur fuel for the international maritime trade, and maintain the competitive standing of California's ports; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly*, That the Legislature respectfully memorializes the Congress of the United States to ratify Annex VI of MARPOL 73/78, and the Environmental Protection Agency to pursue the creation of a North America Sulfur Emission Control Area; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the United States Environmental Protection Agency, to the United States Coast Guard, and to the author for appropriate distribution.